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FAX No. 5032962172

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## Remarks/Arguments

This filing responds to the Office Action of 10 August 2005 (the "Action"). With the Action, Claims 1-5 are pending in the Application. Claims 1-5 stand rejected.

By this filing, Applicant has amended Claims 1-5. Applicant has also introduced new claims 6-22. Applicant submits that the Application as originally filed provides full support for all Claims 1-22.

By this filing, Applicant has added no new matter.

In view of the amendments above and remarks below, Applicant respectfully requests reconsideration and further examination of this Application.

Rejections of Claims for Description/Enablement: The Action rejects Claim 1 under 35 U.S.C. §112, first paragraph, as failing to comply with the enablement requirement and/or the written description requirement. More specifically, the Action rejects Claim 1 as to the recitations of lines 17-19, observing correctly that these recitations describe three situations and inviting

Applicant to explain "how the second switching means S1 would enable" the lattermost two situations.

Applicant notes here that Claim 1, as amended, removes that limitation of a second switching means to a later, dependent claim, as that limitation unnecessarily limits the scope of Claim 1.

Even so, Applicant submits that all three situations observed in the Action are indeed contemplated by the Application and, thus, claimed. That is, the Application contemplates and claims each of the situations:

- (i) the receiving means configuration is configured to be controllable as regards the value of the capacitor configuration;
- (ii) the receiving means configuration is configured to be controllable as regards the value of the at-least-one-second transmission coil;

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(iii) the receiving means configuration is configured to be controllable as regards the value of both the least one second transmission coil and the capacitor configuration.

Because the Action takes no issue with the description/enablement of the first situation, that situation is not further considered here.

As to the latter two situations, Applicant refers to the Application, as originally filed. Therein, Applicant clearly describes controlling the at least one second transmission coil, either alone or together with the capacitor configuration. To illustrate, Applicant again points to page 3, lines 5-7 of the Application as originally filed (page 3, lines 12-14 of the Substitute Specification). To illustrate further, Applicant also points to the original claims that clearly describe these situations, as such claims are correctly appreciated and observed in this Action as well as in a previously Office action.

As to the Action's invitation directed to showing enablement of these latter two situations, Applicant submits that one of ordinary skill in the art would be enabled by the Application as originally filed. To illustrate, one of ordinary skill in the art would recognize that the Application describes various switching means to switch circuit elements into and out of the circuits of a data carrier's receiving means configuration so as to provide controllability of the receiving means configuration. Accordingly, from at least that description in the Application, one of ordinary skill in the art would understand that any capacitor, inductor, or other circuit element in a data carrier's receiving means configuration may be implemented, among other ways, in association with a switch so as switch any such element into and/or out of the respective circuit.

Even so, as another example, Applicant also notes that the Application states on the last page of the detailed description (line 19, in the Substitute Specification) that "the switching means...can also be realized...internally in the chip".

Further, the Action rejects Claim 1 as to the recitations of lines 11 or 18 as to "at least one second transmission coil", observing correctly that "this means there could be more than

one second transmission coil". The Action invites the Applicant to explain the support for more than one second transmission coil.

Applicant submits that, in that the Action observes and correctly states the meaning of this limitation, it appears to be unnecessary to explain the Application's support for that limitation. Nevertheless, Applicant notes that the term "at least one second transmission coil" is present in the Application as originally filed (see references above). Applicant further notes that the term has clear meaning from its use in the Application, particularly for one of ordinary skill in the art.

Applicant has amended the Claims so as to separately claim each of the situations contemplated by the original claim in a dependent claim.

Accordingly, Applicant respectfully requests reconsideration and withdrawal of these rejections.

Rejections of Claims for Anticipation: The Action rejects Claims 1-5 under 35 U.S.C. §102(e) as being anticipated by Trontelj, U.S. Patent No. 6,208,235 ("Trontelj"). The Action, among other things, opines that "the output of the MOD is used to control the switch to connect the capacitor 28 on or off the ground, GND", citing to both Fig. 1 and to lines 29-39 of Trontelj. The Action also admits "that the switch is not shown in the drawings".

Applicant respectfully traverses these rejections. Applicant submits that the Action is absent a *prima facie* case of anticipation, in that it omits to show that Trontelj teaches each and every element of Claim 1, including as such elements are arranged in Claim 1.

For example, Applicant submits that the Action omits to show where, if anywhere, Trontelj teaches all of the elements and arrangements of Applicant's Claim 1 as to receiving means configuration. For example, the Action omits to show where, if anywhere, Trontelj teaches a receiving means configuration configured to be controllable as regards the value of at least one of its elements, the controllable value being selected so that, during the

communication process with a communication station, cancellation is provided of respective magnetic fields associated with the first transmission coil and the at least one second transmission coil. Applicant notes that Claim 1 requires as to such communication process, that the receiving means configuration's first transmission coil be short-circuited with the aid of a first switching means, the first switching means being in its conductive switching state.

Applicant submits that the Action's recitations to Trontelj propose only a "method of transmitting data" stored in the data carrier "through the use of a modulation capacitor 28 connected to the MOD output of the IC 18" so as to "detune" the "antenna circuit 20". That is, Trontelj proposes a method that occurs when the data carrier is seeking to power the antenna circuit for transmission. However, this method occurs only when Trontelj's data carrier is transmitting with its switch 34 in an open state (i.e., non-conductive switching state), because otherwise the antenna circuit is not powered.

Accordingly, the Action does not provide a case for Trontelj teaching a receiving means configuration as Claim 1 requires. That is, as to the communication process during which magnetic fields are sought to be cancelled, Trontelj teaches no more than what is in the very prior art recited in the Application itself.

Moreover, Applicant further submits that, as to all the elements and arrangements of Claim 1, the Action does not identify that Trontelj suggests all elements/arrangements, and does not provide motivation for combining from other sources so as to fill Trontelj's gaps as to such elements/arrangements.

Thus, the Action does not provide a case for a prior art rejection as to Claim 1. As well, because Claims 2-5 each depend ultimately on Claim 1, the Action also does not provide a case for prior art rejection as to any of these dependant Claims.

In view of the foregoing, Applicant requests that these rejections be reconsidered and withdrawn.

New Claims. Applicant has added new Claims 6-22 that depend ultimately from Claim 1. Based on such dependencies and for the reasons stated above, Applicant submits that these new Claims are patentable over such cited references.

### CONCLUSION

Generally, in this Amendment and Response, Applicant has not raised all possible grounds for (a) traversing the rejections of the Action or (b) patentably distinguishing the new Claims (i.e., over the cited references or otherwise). Applicant, however, reserves the right to explicate and expand on any ground already raised and/or to raise other grounds for traversing and/or for distinguishing, including, without limitation, by explaining and/or distinguishing the subject matter of the Application and/or any cited reference at a later time (e.g., in the event that this Application does not proceed to issue with the Claims as herein-amended, or in the context of a continuing application). Applicant submits that nothing herein is, or should be deemed to be, a disclaimer of any rights, acquiescence in any rejection, or a waiver of any arguments that might have been raised but were not raised herein, or otherwise in the prosecution of this Application, whether as to the original Claims or as to any of the new Claims, or otherwise.

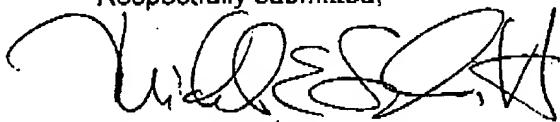
Without limiting the generality of the foregoing, Applicant reserves the right to reintroduce one or more of the original Claims in original form or otherwise so as to claim the subject matter of those Claims, both/either at a later time in prosecuting this Application or in the context of a continuing application.

Applicant submits that, in view of the foregoing remarks and/or amendments, the Application is in condition for allowance, and respectfully requests reconsideration and favorable action.

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charged, the Commissioner is hereby authorized to charge any fees (including extension fees), additional fees, or underpayments, or to credit any overpayments, to the undersigned attorney's Deposit Account No. 50-1001; provided, however, that such fees, underpayments or overpayments must arise solely in connection with this Amendment and Response. Otherwise, the Commissioner should review and follow any authorization previously given by Applicant to charge certain such fees and credit certain such overpayments to the Applicant's separate Deposit Account (No. 14-1270).

Respectfully submitted,



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